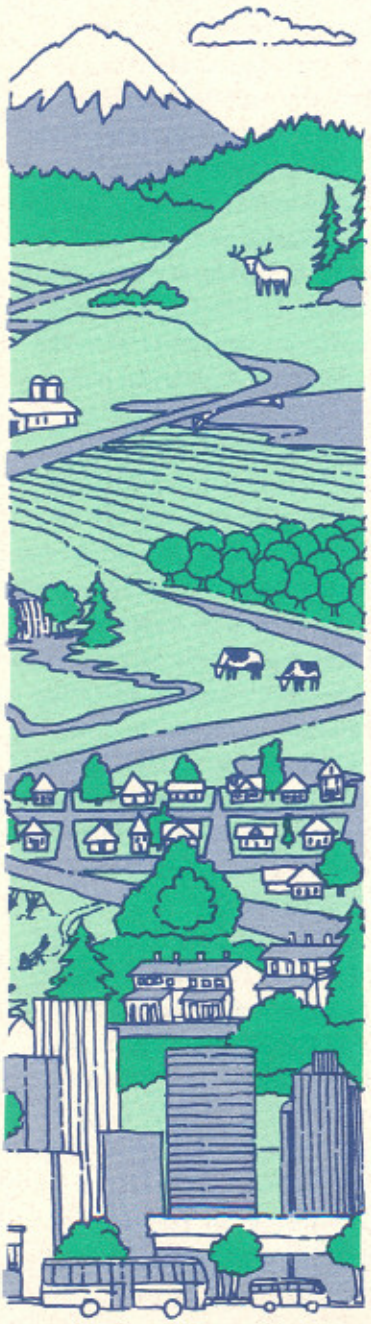
# About Growth

A Quarterly Publication About Growth Management — Summer 1998

Washington State Community, Trade and Economic Development

*Building Foundations for the Future*



## State, local governments look at salmon habitat protection efforts

**By Curt Smitch**
Chair, Governor's Joint Natural Resources Cabinet

As the state develops plans to recover our wild salmon, steelhead, and trout statewide, one thing that we are going to have to look at, in addition to harvest, is habitat.

Along with water quality and water quantity, land use practices will be receiving prominent attention. In fact, these three factors are closely linked and go a long way towards determining the success of salmon recovery.

The Governor's Joint Natural Resources Cabinet is asking the state Fish and Wildlife Department and tribes to be the primary focus on examining issues related to harvest and hatcheries.

The state will be working closely with local governments, the tribes, and federal agencies on what are we going to have to do to address the factors in each of our watersheds that are contributing to the decline of salmon, steelhead, and trout.

For example, we need to know whether current land use practices are adequate. The joint cabinet is in the process of looking at that issue. We want to have some indication by September 1 on how adequately or inadequately current shoreline management guidelines and growth management plans and their implementing regulations are protecting salmon, steelhead, and trout. We are working with local governments and the tribes to get these assessments.

While these discussions have begun, they are not yet at the level of detail needed. Over the summer, the joint cabinet and the Government Council on Natural Resources will be bringing these issues to the table. The council is a special group set up by the Governor that includes local government representatives, tribes, and federal agencies.

The tri-county area — King, Pierce, and Snohomish counties — has begun work on chinook issues. The lower Columbia River counties — Clark, Cowlitz, Lewis, Wahkiakum, and Skamania — have prepared a draft recovery plan for steelhead. The National Marine Fisheries Service also has identified significant issues in other areas of the state: the mid-Columbia River, the upper Columbia River, Grays Harbor-Willapa Bay, the Snake River, Northeastern Washington, Hood Canal, and the rest of Puget Sound.

The goal is to give the National Marine Fisheries Service (NMFS) plans for geographic regions of the state or to roll the plans into one statewide plan. We want to submit the plans to NMFS by July 1999.

An initial review of local governments' land use efforts will be conducted by September 1. Then we will know if additional funds are needed from state agencies to pass through to local governments. This allows time for such funding needs to be included in the Governor's budget, due to be submitted to the Legislature in late December.

We will work with the Legislature to look at fish declines in each of the basins. Local government needs will be examined. We will then roll the input from the legislative session into the plans that will be presented to NMFS in July 1999.

Illustrations by Darrell Pruett, courtesy of Department of Fish and Wildlife

ABOUT GROWTH

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# The PHS Program

## An important tool for the recovery of salmon

**By Eric Larsen**
PHS Coordinator, Washington Department of Fish and Wildlife

In February, the National Marine Fisheries Service (NMFS) announced its intent to list as "threatened" or "endangered" eight additional Washington salmon stocks under the federal Endangered Species Act (ESA). Currently, six salmon stocks are listed in Washington.

With this action, NMFS gave notice to local jurisdictions that water quality, habitat, and fish passage issues affecting salmon must be effectively addressed statewide. The methods by which land uses must change to accommodate the needs of salmon may be contentious and politically charged, and they will affect nearly every Washingtonian.

If federal listings do occur, many of the salmon recovery options currently available to local jurisdictions could be superceded by more narrowly defined federal recovery plans. Accessibility to information on the habitat needs of salmon and other resources will become critical if cities, counties, and private landowners are to participate successfully in salmon recovery while simultaneously retaining local control.

In the late 1980s, the Washington Department of Fish and Wildlife (WDFW) developed the Priority Habitats and Species (PHS) Program as a way to provide information on the needs of Washington's most important fish and wildlife resources. PHS has since become the primary means of transferring information from resource experts to those who affect fish and wildlife habitat.

The PHS Program determines which species and habitats are priorities for conservation and management, provides state-of-the-art maps on the locations of these resources, and develops detailed management recommendations based on the best available science that incorporate the needs of fish and wildlife. PHS information is used for growth management planning by a majority of cities and counties and in planning related to forestry and watersheds.

How cities, counties, and private landowners collectively respond to ESA challenges to recover salmon may effectively shape the conservation ethic of Washingtonians for years to come. Fish and wildlife are public resources; however, they occur on federal, state, and private lands. Washington's diverse landowners are the necessary stewards of fish and wildlife. Clarifying their roles and responsibilities may prove to be the most challenging environmental policy issue we face in our lifetimes.

Science tells us that salmon are imperiled in Washington and that their recovery will involve changing the very nature of how we conduct our day-to-day lives. Whether salmon recovery plans are imposed by the federal government or developed cooperatively by local jurisdictions and watershed councils, providing the best available science to the discussions in our boardrooms and living rooms will be crucial to the future of salmon.

Counties, cities, industry, and landowners must work together using the best information available and rise to the challenge of living successfully amidst our revered salmon. Although listings may be inevitable, cooperative, up-front participation by local jurisdictions and landowners could serve as a plan for salmon recovery. The WDFW believes that the PHS Program can be an important tool in this endeavor.

For more information, contact Eric Larsen, PHS coordinator, at 1-360- 902-2618.

# Work underway to protect, restore salmon habitat

**By Paul Parker**
Policy Director, Environment, Land Use, and Resources
Washington State Association of Counties

Counties are undertaking a variety of programs and approaches to protect and restore salmon habitat. Much has been done prior to the proposed listings this spring and much more remains to be done.

A survey conducted in the fall of 1997 by the Washington State Association of Counties showed that during 1996-97, counties spent over $100 million on regulatory and non-regulatory activities aimed at protecting or enhancing salmon resources.

More than 150 projects were underway or completed during that time frame. Many of these efforts are undertaken jointly with state, federal, or other local agencies.

In King County, salmon restoration is a common mission across agency lines: A stream restoration project designed by the county's Department of Natural Resources and regulated by its Department of Development and Environmental Services will be constructed by the Roads Division of its Department of Transportation.

In Skamania County and many others, restoration efforts are jointly pursued with conservation districts.

Regulatory efforts toward salmon restoration are based primarily on the Growth Management Act (GMA) and the Shoreline Management Act. The GMA requires every jurisdiction in the state to designate and protect critical areas, including fish and wildlife habitat, wetlands, and frequently flooded areas. Other important regulatory tools include floodplain management, forestland conversion oversight, State Environmental Policy Act administration, and erosion control.

Non-regulatory tools include watershed planning, capital facilities planning, public information and education programs, habitat enhancement projects, culvert replacement, bank stabilization, stormwater management, and habitat acquisition.

Given the amount of effort already underway, is there a need for more policy direction? No, not really.

Is there a need for plans? Maybe, in some places, but not everywhere. The two things needed most to assist counties at this point are coordination and money for implementation.

Counties are leading efforts at coordination in some areas, most notably the evolutionarily sensitive units of the Lower Columbia River and Puget Sound.

The lower Columbia counties of Clark, Cowlitz, Lewis, Skamania, and Wahkiakum have led the effort, along with state agencies, to address the listing of steelhead as threatened by developing the Lower Columbia Steelhead Conservation Initiative.

In Central Puget Sound, the county executives of King, Pierce, and Snohomish counties are developing a salmon recovery plan in concert with an Executive Working Committee including cities, tribes, business, and environmental representatives.

Similar cooperative efforts at coordinating Endangered Species Act responses by the county, tribal, and other local governments are underway in the Skagit watershed and in the Hood Canal area.

Around the state, counties have identified millions of dollars of projects, programs, and land acquisition to immediately benefit salmon recovery.

For example, Thurston County has developed a program including culvert replacement, stream bank stabilization, and watershed management, which will cost $51.5 million to implement.

Skagit County has joined King County and others with a "conservation futures" program, which, in Skagit County, will generate $400,000 a year as leverage for bonds to acquire habitat.

Although the biological needs of salmon are generally known and many tools are available to preserve and enhance their habitat, the challenges ahead for counties are difficult.

If our state is to save salmon species from extinction, the needs of fish must be met while accommodating an expected two million new residents by 2020 and respecting the property rights of landowners.

And, if that's not enough challenge, keep in mind that Initiative 601 limits state spending and Congress is intent on keeping a balanced federal budget.

It has taken many years to get into this situation, and it will take many years to recover salmon.

Keeping in mind that counties are doing a lot already, their focus now should be:

- move ahead on projects;
- package up existing programs and look for gaps; and
- develop strategies, both policy and fiscal, to fill the gaps.

### *Western planners gather in Wenatchee to explore future challenges*

"The Wisdom of the West: Designing our Future Together" is the theme of the 1998 Western Planner/ Planning Association of Washington Conference scheduled July 29-31 at the Wenatchee Convention Center in Wenatchee, Washington.

The keynote address, "Marlboro Man or Cappuccino Cowboy?," will be given by Don Snow, director, Northern Lights Research and Education Institute. Sessions on endangered species, growth management, stream corridor management, shoreline management, rural development, and a variety of other land use topics will be offered.

For registration information, call 1-360-357-8044.

# Will growth management save big fish?

**By Steve Nolen**, Deputy Director, and
**Jackie Kirn**, Senior Policy Analyst
King County Office of Budget and Strategic Planning

At these early stages of salmon recovery planning, people are asking hard questions about how to restore ecosystems that support both fish and people.

Should we pack more people into densely populated areas and severely limit rural growth to protect watersheds? What can we creatively do in these urban watersheds to both benefit fish habitat and create amenities for people?

Can we use innovative development methods to limit runoff and keep new housing available and affordable? Will urban growth boundaries have to be redrawn?

How can we best use regulations to protect fish and maintain our economic health? Are we planning for more people and jobs than our environment can support?

**Volunteers restore a stream at O'Grady Park, the centerpiece of approximately 300 acres of prime habitat preserved on the Green River through the Waterways 2000 program.**

It is clear that threatened species listings of salmon and steelhead under the Endangered Species Act (ESA) would challenge our current approaches to land use. But there is good news for cities and counties. Planning under the Growth Management Act (GMA) has given our region a running start toward saving this Pacific Northwest icon.

In King County, implementation of the GMA has led to improved environmental protection and the cooperative regional decision making needed for development and implementation of salmon recovery plans required by the ESA.

Our GMA-directed countywide planning policies, comprehensive plans, and development regulations considered the best available science, and this led to improved sensitive areas and shoreline protection. Our zoning and regulations have cut the rate of growth in the rural area of King County to a little more than half the levels of the 1980s. Surface water is better controlled, and thousands of acres of critical habitat have been purchased or protected. Incentive programs and best management practices are helping farmers and foresters protect fish and resist pressure to quit the business and sell to developers.

But the proposed listings tell us the job is unfinished, and complying with the ESA will not be painless or inexpensive. Much work must be done quickly and cooperatively at time when local governments are strapped for resources and struggling to keep up with growth.

The executives of Snohomish, King, and Pierce counties have convened tribes, cities, and counties, with business, agriculture, and environmental interests, to address these challenges in a manner consistent with our state and federal partners.

The immediate tasks before us include:

- Review the factors for decline of salmon by each major watershed;
- Evaluate how our policies, regulations, and programs affect salmon;
- Apply best available science to refine policies, regulations, and programs to save salmon and preserve our economic vitality; and
- Make sure planning and projects for ESA salmon and steelhead protection and recovery address entire watersheds.

Different watersheds might require different actions. That means policies for a watershed might span multiple counties and cities, tribes, and interest groups. Cities and counties that span more than one watershed may need separate policies and regulations for each.

Despite the challenges, our regional growth management planning councils, countywide planning policies, and comprehensive plans are working. They provide our best tools for implementing the land use changes needed to support fish and people.

With flexibility and vision to use our tools creatively, growth management and our region will emerge stronger for our efforts to save this noble fish and our overall quality of life.

# Reconciling the Growth Management Act with the federal Endangered Species Act

**By Terry Williams**
Commissioner, Northwest Indian Fisheries Commission, and Executive Director, Fisheries and Natural Resources, Tulalip Tribes

The future quality of life in Wash ington will be dramatically impacted by population growth and the health of our environment. These two factors will always be inversely proportionate to one another.

How well we live will depend on how well we control our population and how well we maintain and restore fish, wildlife, and the ecosystems on which they depend.

Today's population growth exceeds 100,000 people every year, and our natural resources disappear at similar rates. At this pace, our children could ultimately live in a world of traffic jams that will take days to untangle, and business areas in which breathing space will be a rare commodity.

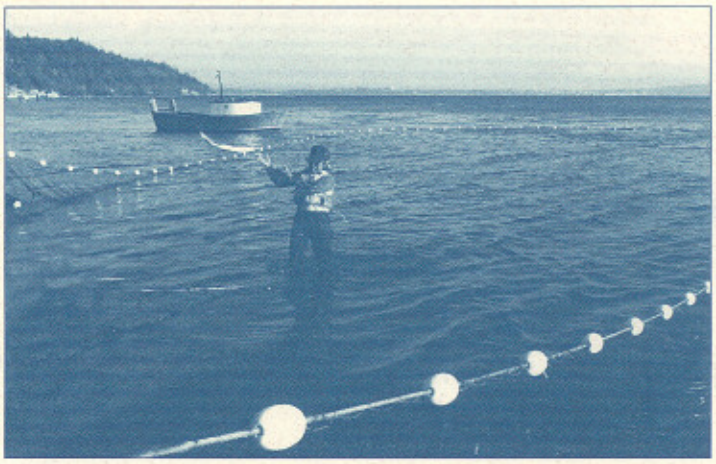
Without growth management, fish and wildlife could eventually disappear as their habitat gives way to more buildings, houses, and roads. That is a sad legacy.

The state does not need to become devoid of fish, wildlife, and natural environment. But it will take some good choices. One such choice must be growth management. Not for the sake of increased natural resource exploitation for short-term objectives, but for the sake of generations yet to come. Protection of critical areas under growth management must be based on good science. It must be supported by governments willing to make some hard, but prudent decisions.

Another choice must be the endorsement of positive state/tribal relations. Non-tribal governments must cross the bridge of understanding between them and tribal governments. They must learn to embrace the treaties established between the United States and the tribes, for reasons that will benefit us all.

As long as the tribes are excluded from legitimate participation in the Growth Management Act and related processes, the state will fail to restore salmon habitat and natural resource management will be in a quagmire of wasted investment.

By embracing co-management, non-tribal government not only subscribes to the law of the land, it opens up new opportunities for us all. Positive teamwork between us leads to progress and brings new federal resources to the natural resource management table that will never be realized through confrontation.



Salmon are an important resource for native people.

Constitutionally-enacted treaties between the U.S. and the tribes are the contractual foundations of the tribes, and the legal basis on which both state and tribal governments retain their respective jurisdictional and property-related rights.

The ESA must ultimately comply with the federal trust responsibility to the tribes. Federal resources will be more accessible with positive state/tribal relations. The choice between tribal/state confrontation and federally mandated co-management are apparent to anyone not blinded by age-old prejudices.

One of the shortcomings of the GMA is that it omitted tribes, and thus failed to facilitate consistency with the ESA, treaties, and other federal laws. That situation must be remedied, or the ESA will surely remedy it for us.

# New laws offer options for watershed planning, fund watershed projects

Below are summaries of growth management-related laws passed during the 1998 legislative session. For copies of the laws, call the Bill Room in Olympia at 1-360-786-7573 or check the Internet at http.//www.wa.gov/governor/98leg/bills/billact.htm.

**ESHB 2496 - Salmon recovery planning**

This law sets out a coordinated framework for responding to the salmon crisis. It recognizes a science-based approach that incorporates adaptive management strategies will be needed to help salmon stocks recover. Adaptive management means reliance on scientific methods to test the results of actions taken so that the management and related policy can be changed promptly and appropriately.

A Salmon Recovery Office is created in the Governor's Office to provide overall coordination of the state's response to salmon restoration efforts. In addition, a Science Review Panel, consisting of five scientists appointed by the Governor, is to help ensure that sound science is used in salmon recovery efforts. The Governor's Salmon Recovery Office is to request review of salmon recovery plans by the panel.

By December 31, 1998, the Governor is to submit a summary of the implementation of this act to the Legislature, and include recommendations that would further the success of salmon recovery. Beginning in 2000, the Governor is to submit a biennial State of the Salmon Report to the Legislature during the first week of December.

Counties, cities, and tribal governments are to jointly designate the area for which a habitat restoration project list is to be developed and the "lead entity" responsible for submitting the list. The area covered by the habitat project list must be based at a minimum on a water resource inventory area (WRIA), combination of WRIAs, an evolutionarily significant unit (ESU), or any other area agreed to by the counties, cities, and tribes. An ESU is the habitat area identified for an aquatic species listed or proposed for listing as a threatened or endangered species under the federal Endangered Species Act.

Critical pathways methodology will be used to develop a habitat project list and habitat work schedule. Critical pathways methodology is a project scheduling and management process for examining the interactions between habitat projects and salmon species, prioritizing habitat projects, and assuring positive benefits from habitat projects.

An Interagency Review Team will review habitat restoration project lists. Representatives from the Conservation Commission and departments of Transportation and Fish and Wildlife will make up the team.

The Conservation Commission is to invite private, federal, state, tribal, and local government personnel to serve on a Technical Advisory Group. The group will identify the limiting factors for salmon to respond to critical pathways methodology.

The departments of Transportation, Fish and Wildlife, and Ecology, and tribes are to convene a work group to develop policy guidance to evaluate mitigation alternatives. The guidance is to help local committees working on habitat restoration project lists to develop lists that maximize environmental benefits from project mitigation while reducing project design and permitting. The work group also will develop guidance for determining alternative mitigation opportunities.

A recovery plan developed under the federal Endangered Species Act (ESA) for part or all of Puget Sound is to be considered for inclusion in the Puget Sound Water Quality Management Plan.

The Sea Grant Program at the University of Washington is to provide technical assistance to volunteer groups and other project sponsors in designing and performing habitat restoration projects.

**ESHB 2514 - Watershed planning**

This law provides funds for watershed planning. Requirements for a water quantity assessment, including inventory and strategies for increasing supply, are included for areas choosing to undertake watershed planning. Requirements for optional water quality, habitat, and in-stream flow analysis also are included.

Watershed planning is to include a process for local citizens to assess the status of water resources within a water resource inventory area (WRIA) and determine how best to manage the resources to balance competing demands. Watershed planning can be initiated only with the agreement of all counties within the WRIA, the largest city or town in each WRIA, and the largest water supply utility obtaining the largest quantity of water in each WRIA. This group is called the "initiating governments." On unanimous agreement to proceed, all tribes with reservation lands in the management area will be invited to participate in the process.

This group, working with state and local governments, determines the scope of planning, taking into consideration all existing plans. Planning must include water quantity and may include water quality, habitat, and in-stream flow. This group also provides for a wide range of water interests to be represented on the planning unit.

Each state agency with regulatory or other interests is to assist to the greatest extent practicable but only at the request of and to the extent desired by the planning unit.

The following grant funds are available from the Department of Ecology: up to $50,000 for a single WRIA or up to $75,000 for a multi-WRIA management area for initial organization; up to $200,000 for each WRIA for watershed assessments of water quantity; and up to $250,000 for each WRIA for developing a watershed plan, making recommendations for actions, and recommending a list of strategies and projects.

**ESHB 2836 – Lower Columbia River pilot program**

A pilot program for steelhead recovery is established in Clark, Cowlitz, Lewis, Skamania, and Wahkiakum counties within the habitat area classified as Evolutionarily Significant Unit 4 by the federal National Marine Fisheries Service (NMFS).

The management board for the program is responsible for participating in the development of the steelhead recovery initiative and implementing the habitat portion of the plan. The state and the NMFS will approve the Lower Columbia Steelhead Conservation Initiative.

The board will prioritize and approve projects and programs related to the recovery of lower Columbia River steelhead runs and coordinate local government efforts as set out in the recovery plan. It is to assess the factors for decline along each prioritized stream as listed in the initiative. The board is to consider local watershed efforts and activities as well as habitat conservation plans in the implementation of the recovery plan. Any of the participating counties may continue its own efforts for restoring steelhead habitat.

The board is to appoint a Technical Advisory Committee that will include a representative from the state departments of Ecology, Fish and Wildlife, Transportation, and Natural Resources.

**S2HB 2879 - Fish habitat enhancement projects**

This law facilitates the review and approval of fish habitat enhancement projects. It also addresses fish passage barriers and establishes a system to inventory and prioritize barriers on a statewide basis.

The Department of Ecology's Permit Assistant Center is directed to immediately

modify the joint aquatic resource permit application form to incorporate the permit process established in this act. In addition, the Department of Fish and Wildlife, Conservation Commission, local governments, fish habitat enhancement project applicants, and other interested parties are to work together to continue to improve the permitting review and approval process.

A new permit review and approval process is created for fish habitat enhancement projects. Criteria are established.

Project applicants are to apply for a hydraulic permit using a joint aquatic resource permit application form to be developed by the Department of Ecology Permit Assistance Center. A 15-day comment period is provided for comments on environmental impacts. In 45 days, the Department of Fish and Wildlife is to issue approval, with or without conditions, deny approval, or make a determination that the project approval process under this new law is not appropriate.

A fish habitat enhancement project meeting the criteria of this law is not subject to local government permits, inspections, or fees. Such projects, when approved and issued a hydraulic permit, don't need a substantial development permit under the Shoreline Management Act. Fish habitat enhancement projects that meet the criteria of this act are considered to be consistent with local shoreline master programs.

A county or city is not liable for adverse impacts from a fish enhancement project that meets the criteria of the law and has been approved by the Department of Fish and Wildlife.

Fish and Wildlife, the Conservation Commission, local governments, fish habitat enhancement project applicants, and others are to work together to continue to improve the permitting review and approval process. The Growth Management Act (GMA) is amended to require reliance on the new criteria for permitting fish habitat enhancement projects.

The Department of Transportation is authorized to administer a grant program to assist state agencies, local governments, private landowners, tribes, and volunteer groups in identifying and removing impediments to anadromous fish passage.

Legislative reports on the Fish Passage Barrier Removal Task Force's progress are due by December 1, 1998, and January 1, 1999.

**SHB 1487 - Transportation elements and state transportation facilities**

The state Department of Transportation, in consultation with local governments, is to set level of service standards for state highways and state ferry routes of statewide significance. The department has the authority to make final decisions.

Local governments planning under the GMA are to amend their comprehensive plan's transportation elements to provide level of service standards for state transportation facilities and services of statewide significance by December 31, 2000.

The purposes of including level of service standards for state highways in local comprehensive plans are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and the Department of Transportation's six-year investment program.

The GMA concurrency requirements do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes.

The following transportation facilities and services are designated to be of statewide significance: the interstate highway system, interregional state principal arterials including ferry connections that serve statewide travel, intercity passenger rail services, intercity high-speed ground transportation, major passenger intermodal terminals excluding all airport facilities and services, the freight railroad system, the Columbia/Snake navigable river system, marine port facilities and services that are related solely to marine activities affecting international and interstate trade, and high-capacity transportation systems.

Regional transportation planning organizations are to review level of service methodologies used by cities and counties to promote consistent regional evaluation of transportation facilities and corridors.

An infrastructure study will be lead by CTED to identify local needs. A final report is due to the Legislature by June 30, 1999.

**SHB 3099 – Industrial lands**

The GMA allows industrial development outside urban growth areas only in certain circumstances, one of them being industrial land banks. In 1996, the Legislature authorized Clark County to designate a bank of no more than two master planned locations for major industrial activity outside urban growth areas. In 1997, this authority was expanded to include Whatcom County.

This law authorizes additional counties, Lewis, Grant, and Clallam, to establish industrial land banks for two master planned locations. Land banks may only be designated in an adopted comprehensive plan. Neither Lewis nor Grant counties have yet adopted their plans. This authority sunsets on December 31, 1999.

**ESHB 2596 - Master planned resorts**

Master planned resorts may make use of capital facilities, utilities, and services provided by outside service providers. They may enter into agreements for shared facilities with these providers, when all costs directly attributable to the resort, including capacity increases, are fully borne by the resort. Such facility and utility services may serve only the master planned resort or urban growth areas. This law has no effect on water rights or water rights permits.

**ESHB 2830 - Land Use Study Commission recommendations**

The following recommendations by the LUSC were signed into law:

- Annexations: The amendments to the annexation statute clean up some unintended consequences from the enactment of ESB 6094 last session.
- Designation of mineral resource lands: The amendments to the designation of mineral lands under Chapter 36.70A RCW are a consensus recommendation of the LUSC's advisory committee to address concerns with the growing shortage of gravel and land use conflicts over gravel mining operations. The Governor vetoed HB 1472, a previous bill on mineral resources, in the 1997 session and asked the LUSC to review this issue.
- Extension of the 120-day time limit for local permits: The 120-day time line for local land use permits was established on a temporary basis in ESHB 1724, the Land Use Regulatory Reform Act of 1995. The extension of the 120-day time line for processing permits for two more years was based on the LUSC's conclusion that there has not been enough experience using the time line to know what improvements to make.

**HB 2871 - Agricultural land classification**

Under this bill, lands designated as agricultural lands of long-term significance under the GMA would have been eligible to be included in open space taxation programs allowing reduced property taxes even if they were not being farmed. The Governor vetoed most of the bill, except sections 7, 8, and 9.

These sections remove language passed into law last year recommended by the Land Use Study Commission related to valuing land designated under the GMA as agricultural, forest, or open space land.

# Let's build on growth management to save salmon

**By Jim Kramer**
**Director, Puget Sound Waterways**

We take our environment seriously in the Pacific Northwest. We talk about it, we buy all kinds of toys to play in it, and we spend our precious time and money to protect it. Our mountains, rivers, forests, and the marine waters of Puget Sound are a key part of our way of life and a major attraction for people to move here.

But something is wrong. The very environment we cherish is attracting the kinds of growth that diminishes it.

Wild salmon are sending us a message. Their dwindling numbers indicate an illness in our ecosystem that threatens their survival and may affect ours too.

Unlike the spotted owl which lives in old growth forests and few people have seen, wild salmon use streams and rivers that weave through many of our communities, towns, and even cities. Wild salmon are headed toward extinction if we don't act and act quickly.

How do we act to save the salmon and our quality of life? Can we achieve both? Do we have to start new or can we build on our existing efforts in growth management?

Implementing the Growth Management Act (GMA) and restoring salmon runs share many similarities. Both are about our quality of life, both are concerned with the way we grow and develop our land, and both require us look into the future and decide what our priorities should be.

The GMA requires communities to engage in planning processes to establish a vision for the future, develop comprehensive plans, and pass regulations to guide growth. A salmon recovery plan required by the federal government will call for similar analyses, planning, and standards for development.

While there are major issues of controversy surrounding salmon that need to be decided through public process, let's not lose sight of the fact that we've done a lot of the preliminary work. Our work may not have been targeted specifically at salmon but it has a direct benefit.

Growth boundaries, land clearing limits, critical area regulations for streams and wetlands, and stormwater standards, to name but a few, all contribute to the health of salmon habitats. We need to build on this work as we step up to address our threatened wild salmon.

Let's first look at the work left to be done under the GMA. Many of the plans and standards we have created through growth management now need the hard work of implementation. This includes funding for urban centers, developing and providing incentives for better land development practices, and increasing the economic vitality of rural communities. We shouldn't avoid the hard work as we rush to respond to this new planning requirement for salmon. Salmon need us to finish the work we have started.

A critical piece needed is the investment in open space and habitat protection called for in many local comprehensive plans. Most plans have identified a future network of public open space. Many of the proposed open space networks, such as in Pierce and King counties and now also in Jefferson County, are envisioned to follow rivers and streams. However, these plans have few dollars for implementation.

The Puget Sound Waterways is an effort by a broad coalition of interest groups to protect habitats along rivers and streams in the 12 counties surrounding Puget Sound. We want local communities to have the funds to work with willing property owners and permanently protect and restore salmon and wildlife habitat. Puget Sound Waterways, along with others, is building public and private support for the dollars to do the work.

In the early stages of Puget Sound Waterways, we asked scientists what they believe the most important actions are. They told us to protect the key habitats left along rivers and streams. These are the few refuges where fish and wildlife still exist in our rapidly changing region. In protecting such habitats, we need to care for drainage, water quality, organism diversity, and other processes that create the physical and biological character of these places.

Scientists also tell us to include people creatively in the protection and stewardship of these habitats. Habitats need ongoing care, and we can't be successful if we exclude people from these places.

Good examples of this kind of work exist throughout the state.

The recent acquisition of the headwaters of Arlecho Creek through a joint effort by the Lummi Tribe, Nature Conservancy, and Paul G. Allen Forest Foundation provides permanent protection of an old growth forest, which is critical for a key salmon tributary to the Skagit River.

The comprehensive protection program in the Nisqually River watershed and the restoration efforts of Chimacum Creek in Jefferson County are other good examples.

Regional success in saving the salmon and protecting our rivers requires us to identify the most important habitats across the region and increase protection.

The Endangered Species Act provides us with an incentive and soon a mandate to work cooperatively across political boundaries and address the rivers systems that salmon use.

# Skagit debates how to protect salmon rearing areas, other habitat issues

**By Bob Hart**
Commissioner, Skagit County

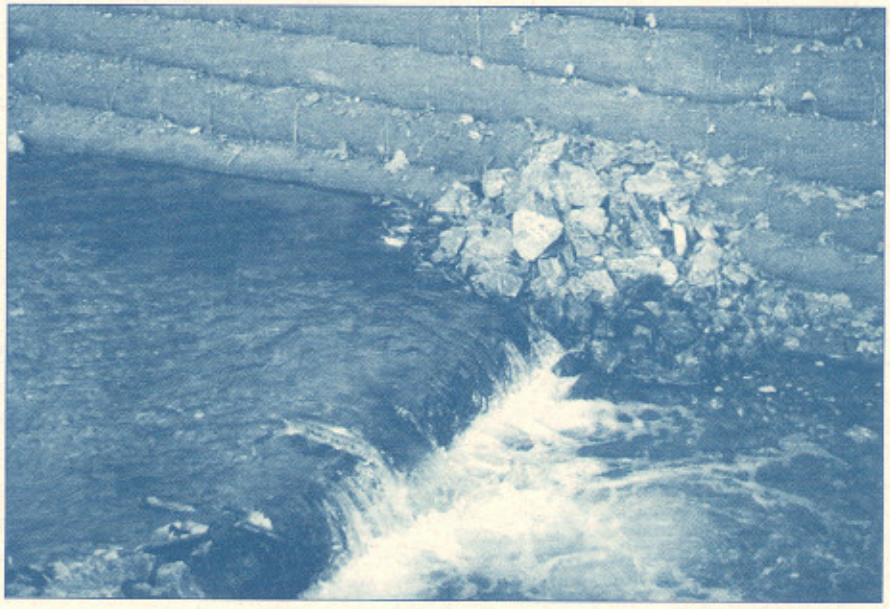
The Growth Management Act (GMA), particularly the natural resource ordinances and the critical areas ordinances, was adopted to identify and protect our environment in a way which will, at least, slow the degradation of habitat on which native species depend.

The GMA was designed to manage how growth will happen and to mitigate its effects. Much of the effort put forth in developing new comprehensive plans will be helpful in responding to the proposed salmon listings. But it will not be enough in specifics, nor will all parts even be relevant to providing habitat.

Buffers, stormwater plans, water quality, and human waste considerations dealt with under the GMA will be helpful in protecting and restoring fish habitat.

Buffers are essential in providing bank stabilization, large woody debris, and cool water temperatures that are essential to maintaining dissolved oxygen levels and limiting siltation of streams. Stormwater plans need to reduce flooding of spawning and rearing areas and prevent toxic substances from entering fish bearing streams. Clean water is essential for all of us, but it not only must be clean for fish, but also free of chlorine. Human wastes must be treated successfully, ensuring not only that toxins are removed, but also that organic nutrients are lowered to the point that oxygen is not tied up, but remains dissolved in the stream.

In Skagit County, we are addressing the habitat of all wild salmon, not just the wild spring chinook presently proposed for listing. Isolation of streams by culvert blockages, instream flows in small tributaries where steelhead and coho spawn, coordination of spillway volumes from our dams during flooding, as well as habitat, are part of our total wild salmon response.



Salmon are able to travel upstream due to this culvert restoration project in Colony Creek at Woods Road.

But spring chinook have life cycles that require a more specialized response. They spawn in the main Skagit, Cascade, Sauk, and Suiattle rivers, which have been under "wild and scenic river" protection for three decades.

After spending up to four months in the spawning bed area, they flush down to the estuarine area near the mouth of the river for another year of rearing before they head to sea. These intertidal channels, sloughs, and near shore areas are the home of spring Chinook until they head to sea.

How do we "protect agricultural resource lands" near the delta? How do we provide access to our rivers and shorelines without damaging chinook-rearing areas? How do we encourage economic development in our ports while protecting salmon rearing areas?

These are the issues where the GMA and the proposed listing of the wild spring chinook go head to head.

## CTED looks at critical areas ordinances

**By Chris Parsons, Growth Management Planner, CTED**

How well are Washington counties and cities doing in protecting fish and wildlife habitat? This important question has no easy answer, but with the adoption of critical areas ordinances, great strides have been made statewide over the past eight years.

Since 1991 all counties and cities, whether or not they are planning under the Growth Management Act (GMA), were required to adopted critical areas ordinances to identify and protect our state's wetlands, streams, frequently flooded areas, steep slopes, and aquifers.

In 1995 the Legislature amended the GMA requiring that "best available science" be included in developing policies and development regulations to protect the functions and values of critical areas with special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries.

For the past few months CTED has been looking at local critical areas ordinances that have been sent to us by local governments. The purpose of this effort is to develop regulatory and non-regulatory information that is useful for local, state, and federal governments when considering fish and wildlife habitat strategies for possible endangered species listings.

CTED's review highlights such information as vegetation buffer sizes for wetlands and streams; adoption of a Priority Habitat and Species Program; and adopted stormwater ordinances. State agencies will be able to use this information when identifying technical assistance needs.

The information is presented in a matrix format. Twenty-six counties and 180 cities and towns are grouped in four evolutionarily significant areas: Puget Sound and the lower, upper, and middle Columbia River.

# Big changes needed to save salmon in urbanizing watersheds

**By Tom Holz**
**SCA Engineering, and Chair, "Salmon in the City" Conference**

The "Salmon in the City" conference is over, and we've been given bad news and good news.

The bad news is that there are very few alternatives to save fish habitat in the path of urbanization. The good news is the same news. The good news is that if there are few alternatives for saving habitat, it shouldn't take us long to decide what to do, thus cutting the usual 10 years of debate down to zero before action is taken.

The two-day conference detailed the appalling condition of our streams caused by urbanization.

Data were presented showing rapid decline in fish habitat quality beginning with the first few percent of impervious surface in a basin (on the poor soils typical of Puget Sound basin). Mother Nature cuts us no slack in this area: If we build just a few stormwater outfalls connecting pavement to the stream, it's good-by fish. If these fish happen to fall under the protection of the Endangered Species Act, it could spell trouble for new outfalls.

Conference speakers seemed to be unanimous in saying that the best remedy for preventing damage was to preserve the forested watershed.

Three authors of the paper presented by Tom Schueler of the Center for Watershed Protection tentatively offered a second remedy that seems to go part way toward accommodating the substantial growth projected for our state. Although they were careful to say that the reduced impervious surface strategy for development suggested to date is not going to be enough to save habitat, it is conceivable, if impervious surface reduction is taken to the maximum, that zero impact development might be achieved.

The only trouble is that current development standards do not allow such development, and, therefore, it has never been tried. With the dilemma presented by huge amounts of growth and with preservation as the only option for salmon salvation, at least one conference speaker urges that we give zero impact development a try.

Characteristics of such development would include maximizing forest land cover, minimizing impervious cover, and the total absence of a stormwater collection system. In urban areas, there is no precedent for such development since the advent of the automobile.

Speakers were not sanguine about the feasibility of restoring urban streams that have been damaged. They pointed out that it isn't just woody debris and big rocks in the channel that these systems lack. (That's easy to fix). Even if we restored 100 to 300 feet of the buffer zone, it wouldn't be sufficient (although this is much harder and more expensive to address).

Streams are damaged because watersheds are paved, and the pavement is connected to the stream with pipes. The implication is that the pavement and pipes must be removed if streams are to recover.

In the short run, most would say this is not possible. It seems as though the damage caused in the last century may take another century to undo, if we have a plan for such restoration and adhere to it.

Can Americans plan land use for a century ahead and adhere to the plan?

*The "Salmon in the Cities" conference offered recently in Mount Vernon, Washington, was sponsored by American Public Works Association, CTED, and other organizations. About 350 people attended.*

# What is best available science?

**By Steve Penland**
Division Manager, Landscape/Watershed Planning
Washington Department of Fish and Wildlife

In 1995, the Growth Management Act (GMA) was amended to call for "best available science" to be used in developing policies and regulations for the protection of critical areas.

As local governments are looking at their plans and ordinances in response to current and potential wild salmon listings, application of the best available science is being debated.

Even though there is no "bright line" to identify best available science, the characteristics discussed in this article taken together can lead us in that direction.

The Washington Department of Fish and Wildlife has endeavored to incorporate these characteristics in developing its management recommendations for fish, wildlife, and habitats. We believe that our recommendations exemplify best available science regarding management of these public resources.

When scientists get into a heated debate about a proper course of action based on scientific findings, they are usually arguing about gaps in knowledge and the relative risks of one alternative versus another, rather than one person's science being "better" than another's.

The first step in resolving differences is to ask what the objectives and risk tolerances of each point of view are, given that the underpinning knowledge of the issue being discussed is usually incomplete. This can be a revelation: Often passionate proponents aren't consciously aware of even their own underlying objectives and assumptions, let alone the assumptions and desires of "the other side."

Presuming we understand our objectives and risk tolerances, how do we know "best available science" when we see it? Best available science has two primary characteristics:

- It incorporates a comprehensive review of existing relevant literature.
- It is peer-reviewed.

In addition to these two mandatory elements, best available science can have several more characteristics that, if present, strengthen the science. However, absence of one or more of these features does not invalidate the science and its conclusions. When we have less than perfect understanding, we simply have to make the best use of available knowledge.

Best available science should strive for the following:

- Best available science has a study design and sampling procedures that allow results to be quantified at a given level of certainty.
- Best available science can be replicated; other scientists under similar conditions can obtain the same results.
- Best available science conclusions are supported by the data.
- Best available science conclusions are not inappropriately generalized beyond the scope of the variables included in the study.
- Best available science minimizes inferences to the extent possible and does not pass inferences off as facts. However, in the absence of complete studies, inferences are necessary and appropriate in science and in management recommendations.
- Best available science identifies limitations of knowledge.

Resource managers use the outcomes of scientific research to develop management recommendations and practices. In addition to applicable characteristics listed above, management recommendations based on best available science should:

- Synthesize all appropriate literature, with greater emphasis given to research that more closely matches the scope of the management recommendations (e.g., King County should give greater weight to research on riparian buffers in Western Washington, if available, than to similar research conducted in Texas).
- Address gaps in knowledge, in part, by incorporating adaptive management. Active monitoring of a course of action might reveal new knowledge that may require modifications to the course of action. The best management recommendations, like the science on which they are based, are not static. They change with the accumulation of new information over time.
- Identify the risks and likely consequences of different alternatives that might be proposed.
- Give guidance for applying the recommendations to specific situations (e.g., how should guidance on buffer widths written for Washington state be applied to a 10-acre project in Thurston County).

# Lower Columbia counties at work on habitat recovery; tips offered

**By Betty Sue Morris**
Commissioner, Clark County

Late last summer Cowlitz County Commissioner Joel Rupley called and after the usual "Hi. How you been?" asked casually, "By the way, did you know Southwest Washington's about to be listed under the Endangered Species Act for steelhead?"

That was our last casual remark about steelhead.

Hard work, collaboration, budget reviews, stream bank restoration, habitat preservation, culvert replacement, rules, and meeting after meeting have consumed us since then.

But when the National Marine Fisheries Services (NMFS) officially listed the lower Columbia steelhead as "threatened," we were ready. Thanks to 18th District State Representative John Pennington, we had legislation in place to retain as much local control as possible.

Five counties are in the area of concern: Clark, Cowlitz, Lewis, Skamania, and Wahkiakum. Representative Pennington's SHB 2836 created a 15-member management board as a pilot project, including one commissioner from each county and people representing environmental and economic interests.

The board is responsible for implementing the habitat portions of the official recovery plan. More importantly, the board is empowered to work directly with NMFS and the state to monitor and amend the plan.

In addition, the board has fiscal clout to ensure that state and federal funds are spent in the best interests of the fish. Jurisdictional boundaries or population cannot be considered in dispersing those funds. The board can recommend code changes when necessary, although it cannot require counties to strengthen regulations.

If you don't have a listing in your area, count your blessings. Few areas in Washington will escape. Here are some tips based on our experience:

## Collaboration

Make lots of new friends. You'll need to work with unfamiliar people, agencies, and jurisdictions. Joint applications are required for counties, cities, and water purveyors to get money for planning in watershed resource inventory areas. The Governor's Salmon Team, Washington Department of Fish and Wildlife, and conservation districts can be a great help in fostering the kind of cooperation you'll need.

## Priorities

Despite the best collaboration, you'll probably need to adjust your budgets. Road funds may be needed to repair or replace more culverts to free critical upstream habitat for fish. General funds may be needed for staff.

## Volunteers

Nurture them. There'll never be enough money to pay for all the work. Volunteers will become increasingly critical to success.

## Land Use and Regulations

It's possible that you'll need to revise critical lands ordinances and you may need to reconsider land uses along priority streams in a recovery plan.

Prepare for the long haul. It took generations to get us here. It will take a decade or more to get us out.

Education. Public participation and education will be the true answer as years pass. Alliances will pay off with school districts, educational service districts, farm foresters, fish groups, timber companies, and conservation districts.

We're learning more about recovery each day and look forward to sharing the results.

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